

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 1:19-cr-10060-JDB-1

JERMAL ANTAWN MARABLE,

Defendant.

---

ORDER STRIKING DEFENDANT’S PRO SE MOTION FROM THE DOCKET

---

On August 26, 2019, retained counsel Harold E. Dorsey filed a notice of appearance on behalf of the Defendant, Jermal Antawn Marable. (Docket Entry (“D.E.”) 24.) To this date, Defendant has continued to be represented by Mr. Dorsey. Before the Court is Defendant’s pro se motion for discovery material. (D.E. 48.)

“It is well settled that there is no constitutional right to hybrid representation.” *United States v. Steele*, 919 F.3d 965, 975 (6th Cir. 2019) (quoting *United States v. Cromer*, 389 F.3d 662, 681 n.1 (6th Cir. 2004)). Title 28 U.S.C. § 1654 permits parties in the federal courts to “plead and conduct their own cases personally or by counsel[.]” The Sixth Circuit has “interpreted this provision as allowing a litigant to represent himself pro se or to obtain representation -- but not both.” *United States v. Rohner*, 634 F. App’x 495, 505 (6th Cir. 2015). That is, “[t]he right to defend pro se and the right to counsel have been aptly described as two faces of the same coin, in that waiver of one constitutes a correlative assertion of the other.” *Miller v. United States*, 561 F. App’x 485, 488 (6th Cir. 2014) (quoting *United States v. Mosely*, 810 F.2d 93, 97-98 (6th Cir. 1987)). Courts generally will not consider a defendant’s pro se motion when he is represented by

counsel. *United States v. Modena*, 430 F. App'x 444, 448 (6th Cir. 2011). As Marable is represented by counsel, his pro se motion is hereby STRICKEN from the docket.

IT IS SO ORDERED this 18th day of September 2020.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE